



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE
FOR THE HOLDERS OF THE BANC OF AMERICA
FUNDING CORPORATION, 2008-FT1 TRUST,
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES
2008-FT1

In Re:

Ely F. Valle
Crispina T. Valle

Debtors

Order Filed on November 13,
2017 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

Case No.: 13-13429 SLM

Adv. No.:

Hearing Date: 9/11/2017 11am

Judge: Stacey L. Meisel

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: November 13, 2017

Stacey L. Meisel
Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: Ely F. Valle and Crispina T. Valle

Case No: 13-13429 SLM

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE HOLDERS OF THE BANC OF AMERICA FUNDING CORPORATION, 2008-FT1 TRUST, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2008-FT1, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 1622 Edmund Terrance Union, NJ 07083, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Warren Brumel, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of October 1, 2017, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 15, 2017, 2016 through September 15, 2017 for a total post-petition default of \$11,898.90 (6 @ \$1,983.15); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$11,898.90 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** the automatic stay is reinstated and that the order granting stay relief dated August 29, 2017 (Docket No. 77) is hereby vacated; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 15, 2017, directly to Secured Creditor's servicer, Nationstar Mortgage, LLC PO BOX 619094 Dallas, TX 75261 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall modify the plan and schedules within 14 days to account for any amounts rolled into the Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.

